



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/477,193	01/04/2000	JAMES R. TIGHE	062891.0292	8822

7590 05/04/2005

BAKER & BOTTS LLP
2001 ROSS AVENUE
DALLAS, TX 752012980

EXAMINER

COLIN, CARL G

ART UNIT	PAPER NUMBER
----------	--------------

2136

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/477,193

Applicant(s)

TIGHE ET AL.

Examiner

Carl Colin

Art Unit

2136

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8-30 and 32-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-30 and 32-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 January 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. In response to communications filed on 2/17/2005, for a request to continue examination, applicant amends claims 1, 2, 10, 14, 25, 26, and 38. The following claims 1-6, 8-30, 32-45 are presented for examination.

1.1 Applicant's arguments, pages 14-19, filed on 2/17/2005, with respect to the rejection of claims 1-6, 8-30, 32-45, have been fully considered and they are persuasive as amended. As mentioned by Applicant, Gudjonsson is limited to a network for routing incoming communications to an appropriate device based upon the type of communication, and the maintaining of an event log, the monitoring of login status by users, and the user of a firewall, the identifying and preventing hacking to the system, but does not explicitly disclose "the monitoring of communications transmitted between the untrusted device and the trusted IP telephone on the telecommunication link to ensure that the communications are media streaming to maintain the integrity of the trusted network," as recited in the amended claims. Upon further consideration, a new ground of rejection is made in view of Civanlar et al in combination with the references from the previous action. Civanlar et al teaches at least the amended limitation in the independent claims. Regarding the other dependent claims, the teaching of Hokari and Cohen still applies as far as disclosing the limitations of the dependent claims. Claims 1-6, 8-30, and 32-45 are now rejected under 35 USC 103 in view of Hokari in combination with Civanlar et al and/or Cohen.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2.1 **Claims 1, 11-13, 35-37, and 43-45** are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 5,455,855 to **Hokari** in view of European Patent Publication EP 841831 A2 to **Civanlar et al** and in view of US Patent 6,389,462 to **Cohen et al.**

2.2 **As per claim 1, Hokari** substantially teaches a method for establishing a telephone call between a trusted Internet Protocol (IP) telephone and an untrusted device (abstract); the method comprising, receiving a call initiation request from an untrusted device external to a trusted network, indicating a desired communication with a trusted IP telephone coupled to the trusted network (column 4, lines 13-16); evaluating the call request and establishing a telecommunication link between the untrusted device and the trusted IP telephone in response to a positive evaluation of the call initiation request (column 4, lines 13-59); associating a first

logical port with the trusted device and a second port logical port with the untrusted device (see figure 3); receiving first telecommunication data from the untrusted device at the first logical port (see column 4, lines 13-15); receiving second telecommunication data from the trusted device (see column 5, lines 15-17). **Hokari** does not explicitly disclose monitoring the type of streaming. **Civanlar et al** in an analogous art discloses evaluating the call initiation request; wherein evaluating the call initiation request comprises determining whether the call request is requesting the establishment of media streaming (column 5, line 50 through column 6, and column 6, line 17 through column 7, line 15; column 8, lines 13-17). **Civanlar et al** further discloses establishing communication between two devices over a telephony network that includes processing each incoming stream, performing encoding translation into a format compatible with the voice decoding capabilities of each receiving station as identified by the serving manager, de-encapsulating to a format appropriate..., identifying control information received such as type of voice encoding, sending digital voice signal to the voice to the voice format interface to perform echo cancellation, voice encoding, encryption, protocol conversion, de-encapsulation, and packetization, etc. that meets the recitation of monitoring communications transmitted between the devices on the telecommunication link to ensure that the communications are media streaming to maintain the integrity of the trusted network, for example (see column 6, lines 6-17 and column 6, line 54 through column 8, line 3). **Civanlar et al** discloses gateways that can communicate with network employing different transmission standards and be able to convert and manage call signaling among different network to a format that is understood by the interface or type of voice encoding that is employed by the station, for example (see column 5, lines 1-25 and column 6, lines 38-58). Therefore, it would have been

Art Unit: 2136

obvious to one of ordinary skill in the art at the time the invention was made to modify **Hokari** to evaluate the call initiation request wherein evaluating the call initiation request comprises determining whether the untrusted device is requesting the establishment of media streaming with the trusted device and to monitor communications transmitted between the untrusted device and the trusted IP telephone on the telecommunication link to ensure that the communications are media streaming because different formats can be used by different stations and communications cannot be established; **Hokari**'s invention provides the capabilities of conversion of the transmission format, audio coding translation, and address translation so that communications can be established between different transmission standards and transmitting error messages as appropriate as taught by **Hokari**. One skilled in the art would have recognized the advantage of monitoring media streaming to provide conversion of the transmission format, audio coding translation, and address translation to enable and control communications between different transmission standards and transmitting error messages as appropriate as suggested by **Hokari** (column 3, lines 29-50 and column 6, lines 13-17).

Hokari further discloses the step of modifying the sub-address information to specify the ISDN numbers assigned to the PBXs (see column 4, line 33 through column 5, line 35). To one skilled in the art the ISDN numbers meet the recitation of the ports of the proxy. However, **Cohen et al.** in an analogous art discloses modifying a first source address information to specify the second logical port of the telephone proxy and communicating the data with the modified first source address information to the server (see column 8, lines 28-37); modifying a second source address in the second telecommunication data to specify the first logical port of the telephone proxy and communicating the data with the modified second source address

Art Unit: 2136

information to the client (see column 8, lines 37-49). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of **Hokari** to provide the step of modifying a first source address information to specify the second logical port of the telephone proxy and communicating the data with the modified first source address information to the trusted device and reverse it to communicate with the untrusted device as taught by **Cohen et al.** to establish a transparent connection between the trusted device and the untrusted device. This modification would have been obvious because one skilled in the art would have been motivated by the suggestions provided by **Cohen et al.** so as to establish a transparent connection between the trusted device and the untrusted device.

As per claim 11, Cohen et al. in an analogous art teaches modifying source address information in the received telecommunication data to specify a second logical port of the telephone proxy associated with the untrusted device and communicating the data with the modified source address information to the trusted IP telephone (see column 8, lines 28-37 and lines 37-49). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method as combined above to provide the step of modifying source address information in the received telecommunication data to specify a second logical port of the telephone proxy associated with the untrusted device and communicating the data with the modified source address information to the trusted IP telephone as taught by **Cohen et al.** to establish a transparent connection between the trusted device and the untrusted device. This modification would have been obvious because one skilled in the art

would have been motivated by the suggestions provided by **Cohen et al.** so as to establish a transparent connection between the trusted device and the untrusted device.

As per claims 12 and 44, Civanlar et al discloses the limitation of a system capable of associating connectionless packet to enable the streaming of IP packets (column 4, lines 8-20) that meets the recitation of wherein associating a first logical port of the telephony proxy with the untrusted device comprises associating a User Datagram Protocol (UDP) logical port to enable the streaming of IP packets and first and second ports are UDP logical ports. Therefore, claims 12 and 44 are rejected on the same rationale as the rejection of claims 1 and 11.

As per claims 13 and 45, Cohen et al. discloses the limitation of wherein modifying the source address information in the received telecommunication data comprises modifying a source IP address and a source port in a header of each IP packet (see column 8, lines 28-37 and lines 37-49). Therefore, claim 13 is rejected on the same rationale as the rejection of claim 11.

Claims 35-37 recite the same limitations as claims 11-13 respectively by referring to a software instead of a method and are rejected on the same rationale as the rejection of claims 11-13.

As per claim 43, claim 43 recites some of the limitations found in claim 11 and is rejected on the same rationale as the rejection of claim 11.

Art Unit: 2136

3. **Claims 2-6, 8-10, 14-30, 32-34, and 38-42** are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 5,455,855 to **Hokari** in view of European Patent Publication EP 841831 A2 to **Civanlar et al.**

3.1 **As per claim 2**, claim 2 recites some of the limitations found in claim 1 and is rejected on the same rationale as the rejection of claim 1.

As per claim 3, **Hokari** discloses the limitation of wherein receiving a call initiation request from the untrusted device comprises intercepting a call initiation request at an entry point to the trusted network servicing the trusted IP telephone, the call initiation request sent from outside the trusted network by the untrusted device (see column 4, lines 13-16 and column 4, lines 38-43).

As per claim 4, **Hokari** discloses the limitation of wherein evaluating the call initiation request comprises determining whether the trusted IP telephone is a proper recipient of a telephone call from an untrusted device (see column 4, lines 13-37 and column 2, lines 48-53).

As per claims 5-6, **Hokari** discloses the limitation of wherein determining whether the trusted IP telephone is a proper recipient of a telephone call from an untrusted device comprises determining whether a network address of the trusted IP telephone is included in a list of approved network addresses and whether a network address of the untrusted device is included in a list of approved network addresses (see column 2, lines 48-53). It is obvious that the

identification numbers referred to herein can be in form of network addresses in an internet connection as address translation is disclosed in Civanlar et al.

As per claim 8, Hokari discloses the limitation of wherein establishing a telecommunication link between the untrusted device and the trusted IP telephone comprises establishing a telecommunication link using PBX 103 that meets the recitation of a telephony proxy whereby all telecommunications between the trusted IP telephone and the untrusted device are communicated through the telephony proxy (see figure 1).

As per claims 9 and 10, the combination Hokari and Civanlar et al discloses monitoring the telecommunication link to determine whether the telecommunications being sent by the untrusted device comprise media streaming and use an appropriate audio format (see **Civanlar et al**, column 5, line 50 through column 6, and column 6, line 17 through column 7, line 15; column 8, lines 13-17) as discussed in claim 1 above and therefore claims 9 and 10 are rejected on the same rationale as the rejection of claim 1.

Claims 14 and 26 recite the same limitations as claim 2 except for incorporating the claimed method into a network and a software. **Hokari** discloses a trusted telephone coupled to a first trusted network (see abstract) and also discloses a control unit that meets the recitation of authentication controller (column 4, lines 38-50) for evaluating call initiation request as discussed in claim 1 above and access point that meets the recitation of call manager (column 4, lines 50-67) operable to initiate the creation creation of a telecommunication link in response to a

positive evaluation as discussed in claim 1 above. Claims 14 and 15 are therefore rejected on the same rationale as the rejection of claims 1 and 2.

As per claim 15, Hokari discloses the limitation of wherein the call manager is further operable to initiate the creation of a telecommunication link between the untrusted device and the trusted telephone comprises establishing a telecommunication link using PBX 103 that meets the recitation of a telephony proxy whereby all telecommunications between the trusted telephone and the untrusted device are communicated through the telephony proxy (see figure 1).

Claim 16 recites the same limitation as claim 14 implemented in software and is rejected on the same rationale as the rejection of claim 14.

As per claim 17, Hokari discloses a control unit that meets the recitation of authentication controller (column 4, lines 38-50) and access point that meets the recitation of call manager (column 4, lines 50-67); the control unit is a component of the access point that meets the recitation of wherein the authentication controller is a component of the call manager.

As per claims 18-20, the combination Hokari and Civanlar et al discloses the claimed network of claim 14. **Civanlar et al** in an analogous art discloses IP network, an ISDN network coupled to the Internet and a PSTN using a gateway, which is well known in the art, for example (see column 2, line 56 through column 3, line 32). To one skilled in the art, it is apparent that the

Art Unit: 2136

invention of Hokari can be coupled to the Internet. Therefore, they are rejected on the same rationale as the rejection of claim 1.

As per claim 21, the additional trusted network is a design choice and does not depart from the spirit and scope of the invention of **Hokari**, which is not limited to one network. To a person having ordinary skill in the art, it is obvious that the communication network described by **Hokari** may comprise a second trusted network.

Claims 22 and 23 recite the same limitation as claims 5-6 wherein the authentication controller comprises list of addresses of network devices permitted to receive telephone calls from the untrusted and list of network addresses permitted to communicate with the trusted telephone (column 2, lines 48-53 and columns 4-5). It is obvious that the identification numbers referred to herein can be in form of network addresses in an internet connection as disclosed in column 32, lines 27-50 of Civanlar et al.

Claims 24-25 recite the same limitations as claims 9-10 and are rejected on the same rationale as the rejection of claims 9-10.

Claims 27-30, 32-34 recite the same limitations as found in claims 3-6, 8-10 respectively by referring to a software instead of a method and are rejected on the same rationale as the rejection of claims 3-10.

Claim 38 recites the same limitations as claims 14 and 15 except for incorporating the claimed method into an apparatus and combining the functions of the network into an apparatus require routine skilled in the art. Claim 38 is rejected on the same rationale as the rejection of claims 14 and 15.

Claims 39-42 recite the same limitations as claims 22-25 respectively by referring to an apparatus instead of a network and are rejected on the same rationale as the rejection of claims 22-25.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Many of the claimed features, i.e. list of network addresses permitted or denied access between trusted and untrusted, call evaluation based on media streaming, ISDN coupled to the Internet, etc. are disclosed in these references.

US Patents : 6,363,411 Dugan et al.; 6,020,915 Bruno et al.; 6,487,196 Verthein et al.
5,642,407 He; 5,583,863 Darr, Jr. et al.

Foreign Patent Publication: WO 98/11704 Lee et al.

4.1 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carl Colin whose telephone number is 571-272-3862. The examiner can normally be reached on Monday through Thursday, 8:00-6:30 PM.

Art Unit: 2136

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

cc

Carl Colin

Patent Examiner

April 28, 2005


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100